

# The CAPITOL EYE

Watches Your Interest in Congress



VOL. I

NOVEMBER, 1921

No. 2

## FEATURES

### THIS MONTH

The "Public Welfare Department Bill"

The "Beer Bill"

Discussed

*Pro and Con*

by

The Senate, The House and The Lobby

---

### NEXT MONTH

The Towner-Sterling Bill

To Establish a Department of Education

The Fess-Capper Bill

For the Promotion of Physical Education

The Myers Bill

To Exempt Dogs from Vivisection

## A STATEMENT BY THE EDITORS

**T**HIS publication will present a monthly digest of federal bills dealing with public health and education. It will follow their progress. It will record their history. It will assemble relative arguments and print them pro and con.

Such a policy will afford the reader an opportunity to study a bill from every angle and judge of its merits. Congress will be able to speak through these columns directly to the people and all organized bodies will be furnished a forum where they can exchange reasons for opposing or endorsing these public interest measures.

## The CAPITOL EYE DIRECT SERVICE

**F**OR the benefit of those seeking detailed and immediate information on federal welfare bills The Capitol Eye Publishing Company maintains a direct service. Rates forwarded upon request.

### Facts

on

How these bills will affect the Health and Education of your community.

How your congressman is voting on them.

How and when to offer relevant amendments.

Advance dates on Hearings.

The Roll-Call in the Senate and House when a vote is taken.

Complete list of such bills in the current session.

Complete list of organizations testifying at the hearings.

---

## The CAPITOL EYE

NOT AN OFFICIAL ORGAN

NOT CONTROLLED BY NOR UNDER THE INFLUENCE OF ANY PARTICULAR INTEREST, CLASS OR SECT

PUBLISHED BY THE CAPITOL EYE PUBLISHING COMPANY, - - - - - MUNSEY BUILDING, WASHINGTON, D. C.

THE EDITORS

A. GRAM

V. HITCHCOCK

SUBSCRIPTION RATES: FIFTY CENTS A COPY, FIVE DOLLARS A YEAR, POSTPAID IN THE UNITED STATES

Copyright, 1921, by The Capitol Eye Publishing Company, Washington, D. C.

---

## CONTENTS

Features	Front Page
A Statement by the Editors	2
History and Outline of the "Beer Bill"	3
The Senate Discusses the "Beer Bill"	4
The House Discusses the "Beer Bill"	5
The Lobby Discusses the "Beer Bill"	6-7
History and Chart of Public Welfare Department Bill	8
Outline of Public Welfare Department Bill	9
The Senate Discusses Public Welfare Department Bill	10
The House Discusses Public Welfare Department Bill	11
The Lobby Discusses Public Welfare Department Bill	12-14
A Glossary of Legislative Terms	15-16
The "Come-Back"	16

## HEALTH SECTION

### PROGRESS OF BILLS

October 20, 1921.—The Sheppard-Towner "Maternity Bill" (Act S1039) featured in the October number of The Capitol Eye rests at present in the House Committee on Interstate and Foreign Commerce pending further action.

### THE CAMPBELL-WILLIS "BEER BILL"

*An Act Supplemental to the National Prohibition Act*

#### HISTORY OF THE BILL

Following an opinion published by Attorney General Palmer which provided that Doctors under the law were the sole judges of when and how much and how often to prescribe any kind of malt or vinous liquor, Representative Volstead drew Bill No. 5033, to meet the situation which was considered detrimental to the enforcement of the 18th amendment.

The bill was reported favorably by the House Committee on the Judiciary to which it had been referred, but it was found impossible to get it slated on the House calendar for action. The author of the bill accordingly applied to the Committee on Rules for a rule to have it considered. Hearings were held by that Committee but so much opposition was voiced that the Committee found it impossible to grant a ruling. In view of this situation, Representative Campbell, Chairman of the Rules Committee, introduced a bill embodying the emergency clause found in the Volstead bill, but eliminating the controversial matter. A similar bill was introduced simultaneously in the Senate by Senator Willis.

The House Committee on the Judiciary, of which Representative Volstead is chairman, reported the Campbell bill with one additional amendment to cover a Supreme Court decision. On the floor of the House Mr. Volstead then offered three more amendments two of which were part of the original bill. The Campbell bill in this form passed the House, under suspension of the Rules, with more than a two-thirds majority.

It went to the Senate and with the exception of a few clerical changes was passed by a two-thirds vote. It carried, however, the Stanley Amendment. This amendment prohibits all search or attempt to search any place without a warrant.

The Act with this amendment came back to the House and was referred again to the Committee on the Judiciary which reported it back to the House striking out the Stanley amendment and substituting for it an amendment to protect the home against search without a warrant, but otherwise permitting search as under existing laws. The House adopted the Committee report and sent it back to the Senate. The Senate insisted on the Stanley amendment and the Act went to a conference of the House and Senate.

Those conferees agreed on a substitute amendment to the Stanley amendment, viz.; to protect the home against search without a warrant but allowing search under existing laws, and punishing anyone who with malice or without reasonable cause shall search without a warrant.

The House passed the conference report, and it is still pending in the Senate.

#### OUTLINE OF THE MEDICINAL CLAUSE

Be it enacted that only spirituous and vinous liquor may be prescribed for medicinal purposes, and all permits to prescribe any prescriptions for any other liquor shall be void. No physician shall prescribe, nor shall any person sell or furnish on any prescription, any vinous liquor that contains more than 24 per centum of alcohol by volume, nor shall anyone prescribe or sell or furnish on any prescription more than one-fourth of one gallon of vinous liquor, or any such vinous or spirituous liquor that contains separately or in the aggregate more than one-half pint of alcohol, for use by any person within any period of ten days. No physician shall be furnished with more than one hundred prescription blanks for use in any period of ninety days, nor shall any physician issue more than that number of prescriptions within any such period unless on application therefor he shall make it clearly apparent to the commissioner that for some extraordinary reason a larger amount is necessary, whereupon the necessary additional blanks may be furnished him. But this provision shall not be construed to limit the sale of any article the manufacture of which is authorized under section 4, Title II, of the National Prohibition Act.

No spirituous liquor shall be imported into the United States, nor shall any permit be granted authorizing the manufacture of any spirituous liquor, save alcohol, until the amount of such liquor now in distilleries or other bonded warehouses shall have been reduced to a quantity that in the opinion of the commissioner will, with liquor that may thereafter be manufactured and imported, be sufficient to supply the current need thereafter for all nonbeverage uses: Provided, That this provision against importation shall not apply to shipments en route to the United States at the time of the passage of this Act: Provided further, That no vinous liquor shall be imported into the United States unless it is made to appear to the commissioner that vinous liquor for such nonbeverage use produced in the United States is not sufficient to meet such nonbeverage needs: And provided further, That the commissioner may authorize the return to the United States under such regulations and conditions as he may prescribe any distilled spirits of American production exported free of tax and reimported in original packages in which exported and consigned for redeposit in the distillery bonded warehouse from which originally removed.

# The Senate Discusses the "Beer Bill"

Pro

SENATOR FRANK B. WILLIS

This bill was introduced in both House and Senate to meet the situation created by the decision of former Attorney General Palmer, rendered in the closing hours of his term of office validating the sale and use of beer for medical purposes. In the course of the consideration of this bill by Congress a few simple amendments were added for the purpose of clarifying the Volstead law and rendering its enforcement and the maintenance of the 18th amendment to the Constitution possible.

If there be any doubt as to the medicinal properties of beer let answer be made from the Committee hearing where Dr. Wiley says: "In so far as I know, beer has never been regarded as a pharmacopoeial remedy in any shape or form." And Dr. Rowland states: "Not only is it not found beneficial to give beer, or useful to give beer, but it has a rather harmful effect," and when one hundred physicians testify:

"The undersigned physicians of the United States desire to place on record their conviction that the manufacture and sale of beer and other malt liquor for medicinal purposes should not be permitted. They serve no medical purpose which cannot be satisfactorily met in other ways, and that, without the danger of cultivating the beverage use of an alcoholic liquor."

The cold fact is that the demand for "Medical beer" comes, not from the fevered chambers of the sick, but from perfectly vigorous persons who have a thirst and want to slake it.

This pending bill, if enacted into law, will impose no undue hardships on any legitimate industry. There has been a labored effort to induce the people to believe that the beer bill strikes a blow at the 4th Amendment. There is nothing whatever in the bill that, in the slightest degree, impinges on the 4th Amendment. Whatever rights a citizen had at Common Law or under the 4th Amendment, he still has absolutely unimpeached. This bill protects the sanctity of the home and forbids unreasonable searches and seizures. Not only does it not weaken the 4th Amendment in any way, it actually strengthens it by providing, as pointed out above, a severe penalty for any officer of the law who violates it. The propaganda against this provision of the bill is calculated only to deceive and beguile. But it will not succeed in its purpose. The bill will become a law and will be a distinct gain in enforcing the law and maintaining respect for the Constitution.

Con

SENATOR EDWIN S. BROUSSARD

Mr. Volstead offered at this session of Congress an amendment to the existing law which under its provisions vested in the Prohibition Commissioner the right to regulate the quantity of alcohol used in the different industries, as well as to prohibit the prescription of beer by physicians. The proposed interference with the production and use of alcohol for scientific and industrial purposes portended such serious consequences in research work and the development of our industries that after being exposed in the Senate, that feature was to a large extent eliminated, and the so-called Anti-Beer Bill was substituted by the House Committee. This measure was attacked as being unconstitutional because there is no power delegated to the Congress to regulate the use of intoxicating liquors for medicinal purposes.

It has been argued by the proponents of this bill that the doctors do not recognize beer, porter or ale as medicine. It has been amply shown that the leading physicians and specialists of the entire world do consider these beverages as a most valuable therapeutic.

This measure also decreases to one-half pint of alcohol per ten days, the quantity which may be prescribed for a patient and restricts that one-half pint to the aggregate amount administered internally as well as externally. The most eminent physicians claim that if alcohol is to be administered internally that this quantity would be insignificant and of no value to the patient.

The Stanley Amendment, which is merely the reiteration of the Fourth and Fifth Amendments to the Constitution, was offered and adopted by the Senate without a dissenting vote in order to stop the illegal practices of enforcement officers who are violating not only the sacred rights of the person and property, but also to make the homes of Americans secure against the invasion of the enforcement officers and those who impersonate them.

Those in charge of this bill agreed to and accepted the Stanley Amendment; but they are now seeking to protect only the dwelling house, which under the report of the conferees may not be entered and searched without a search warrant.

The provision to the Constitution contained in the Fourth Amendment of the Bill of Rights is intended to secure not only the dwelling house but the person, house, property, papers and effects of all citizens; and therefore, we claim that the report of the conferees is unconstitutional because no act of Congress may limit or restrict rights guaranteed the citizens under the Constitution.



## The House Discusses the "Beer Bill"

*Pro*

REPRESENTATIVE PHILIP P. CAMPBELL

The decision of Attorney General Palmer that beer might be prescribed by physicians as a medicine under the Volstead Act created consternation throughout the country among those who believed, when the Volstead Act was enacted, that it prohibited the use of beer for medicinal purposes as well as for beverage purposes. Since then the one purpose of those who are in favor of the enforcement of the law under the eighteenth amendment throughout the country is to secure such an amendment to the law as will enable those in charge of its enforcement to enforce it against beer as well as the other prohibitive provisions of the law.

The Judiciary Committee very properly took up this subject and considered the question of passing a law that would prevent those in charge of the preparation of regulations and the enforcement of the law from putting into effect at a very early date regulations permitting physicians to prescribe beer and thus opening up breweries throughout the country for the manufacture of beer. Those interested in many breweries resorted to every possible trick to delay the passage of a law to prevent regulations being put in force for the sale of medicinal beer. The Treasury Department had been threatening to promulgate those regulations. The danger was imminent that they would be promulgated. The necessity was great that they should not be promulgated. The necessity was great that Congress should pass a law prohibiting the prescribing of beer as a medicine.

But the Judiciary Committee entangled and entwined with the Beer Provision many other controversial questions that would have delayed the passage of the anti-beer provision indefinitely. The bill came to the Committee on Rules for a rule. This Committee was in favor of passing at once a law that would cover beer, and make a provision against it which they had supposed was in the Volstead Law when it was originally passed.

This bill should be passed at the earliest moment possible. Indeed, there was never any necessity for more than 40 minutes' debate on it. Whether those who are in favor of beer and light wines as a beverage like it or not, the eighteenth amendment to the Constitution does not provide for light wines and beer in the United States.

The sooner the people of this country realize the fact that prohibition of spirits and vinous and malt liquors is here to stay and that proper laws are enacted for the enforcement of that constitutional provision the better it will be for them and the whole country.

*Con*

REPRESENTATIVE HARRY B. HAWES

It is unfortunate that this particular bill, which has for its purpose the worthy object of eliminating the "bootlegging" physician, should unnecessarily assail a great profession.

The eighteenth amendment prohibits the manufacture, sale, import, and export of intoxicating liquors for beverage purposes. There is no constitutional prohibition against the use of such liquors for mechanical, medicinal, or sacramental purposes.

The Attorney-General, in interpreting the Volstead Act, decided that the physician has the right of control over his prescriptions for medicine, both as to their number and character, and that the physician and not the commissioner shall determine questions relating to the practice of medicine.

Under this amendment no physician can be furnished with more than 100 prescriptions to be used in a period of 90 days, and if he exceeds this number he must approach the commissioner and prove to him that for some extraordinary reason a larger number is necessary.

There are 145,000 licensed physicians. Under this amendment each would be entitled to issue 100 prescriptions every 90 days, which could not be disputed for any reason. This would mean that 14,500,000 "bootlegger" prescriptions could be issued every three months. In a year's time physicians—if they were "bootleggers"—could issue prescriptions for 56,500,000 pints of whiskey. This shows the absurdity of this amendment, which gives a blanket wholesale license to violate the law. But if a single, conscientious doctor, without permission from the commissioner, issued 101 prescriptions he becomes a criminal and will be punished by imprisonment.

This commissioner is given the power of both judge and jury, discretion as to what is and what is not medicine, discretion as to the limitation of the amount to be prescribed, and discretion as to when an emergency exists. It in effect gives to a commissioner the power of an injunction which is now confined to the judge. It gives him the power to classify and divide them according to his own judgment into classes. He directly is given the power to pass upon the cases and the medicine of 145,000 doctors who have charge of the health of 110,000,000 people.

In no place in Anglo-Saxon law, either in England or America, is such power deposited in the keeping of any one official. In order to stop a limited number of "bootlegging" doctors, this bill establishes the principle of Government control over the practice of medicine by national law.

## "The Lobby Discusses the "Beer Bill"

*Pro*

### NATIONAL TEMPERANCE BUREAU INTERNATIONAL ORDER GOOD TEMPLARS

*Edwin C. Dinwiddie*

If the original bill had been confined to the anti-beer amendment and such other features as are contained in the pending measure, there is scarcely a doubt that it would have been enacted into law in the early summer. The seriously controverted features against which legitimate criticism was lodged have been stricken out of the present measure.

Beer is in an entirely different category from other intoxicating liquors for strictly medicinal uses. Beer has never been officially recognized as a medicine; has never been listed in the U. S. Pharmacopœias as such; has never received such endorsement in any standard works on *Materia Medica*. This legislation has been asked for by the largest official organizations of physicians and, in proportion to numbers, has been protested against by only a small minority of members of the medical profession.

The chief opposition has now centered its efforts on the Stanley Anti-Search and Seizure amendment which would overthrow necessary methods of law enforcement which have long prevailed, and have been properly acquiesced in under the Fourth Amendment, not only as to prohibition but as to numerous other misdemeanors and felonies under national law.

### NAT'L ASSOCIATION RETAIL DRUGGISTS

*Samuel C. Henry, Secretary*

The Executive Committee of the National Association of Retail Druggists of the United States desire to place on record their conviction that the manufacture and sale of beer and other malt liquors for medicinal purposes should not be permitted. Malt liquors have never been listed in the United States Pharmacopœia as official medicinal remedies.

### NATIONAL WOMAN'S CHRISTIAN TEMPERANCE UNION

*Lenna Lowe Yost, Legislative Representative*

Beer as a medicine has not at any time been ably defended. Very few friends appeared before committees or on the floor of the House or Senate to advocate prescriptions of beer as a medicine. Thousands of the most eminent physicians, surgeons and scientists in this country have expressed their disapproval of the use of beer as a medicine, and druggists refuse to recognize it as a medicine. In more than two-thirds of the states the laws prohibit the use of beer as a medicine. The brewers themselves furnish testimony against the theory of the health value of beer, and recommend soft drinks as a substitute.

\*In some cases extracts from the Congressional Record and Hearings are used.

*Con*

### THE ASSOCIATION AGAINST THE PROHIBITION AMENDMENT

*G. C. Hinckley, National Secretary*

From the medical viewpoint, as well as from every other viewpoint, the so-called "Anti-Beer" bill is utterly vicious.

Testimony introduced at the various hearings on this Bill and in open debate on the question in both houses of Congress, goes to show that malt brewed liquors are used in the treatment of many illnesses, and are particularly needed in many cases by nursing mothers and persons of low vitality.

The 18th Amendment was framed to prohibit the use of alcoholic liquors as beverages. The new Bill stretches the terms of the Amendment to prevent the medical use of certain liquors, and is therefore unconstitutional.

As finally amended, the bill denies to citizens certain rights, set forth in the Fourth Amendment to the Constitution, which are as old as the Anglo-Saxon race, viz., the immunity of one's person, baggage, and vehicle from search without a warrant. This abridgment of liberty is claimed by the prohibitionists to be necessary to enforce the original Volstead law.

### THE NEW YORK MEDICAL ASSOCIATION

*Dr. John P. Davin*

I think that the State that gives the right to a physician to prescribe alcohol has no right to dictate in what form he shall prescribe it. My experience is that if you carry out what is proposed here you will remove a proper mode of administering a remedy.

This is the first civilized country in the world where a physician has to ask to be allowed to give the remedial agent that he thinks should be given in a specific case. This is seeking to dictate to the medical profession how they shall prescribe an agent which they think is sometimes necessary in the treatment of disease.

### MR. LEVI COOKE,

*Washington, D. C.*

Whether malt liquor is medicine is a question of fact. Congress cannot legislate facts into or out of existence. Many doctors say malt liquor is a tonic for old persons, beneficial to convalescents, useful as a substitute for drugs where soporifics are indicated. Other doctors say not. Dr. Carl L. Alsberg, former Chief of the Bureau of Chemistry, now physiological chemist of the Hoover Food Institute at Palo Alto, told me he considered malt liquor medicine. I don't know the facts, but feel that Congress is trying to foreclose the facts by legislative enactment. Such legislation is bad, in my judgment.

*Pro*

## ANTI-SALOON LEAGUE OF AMERICA

*Wayne B. Wheeler*

The chief difficulty that we are facing came from the Attorney General's opinion about beer—that you could prescribe beer as a medicine. That gave hope to the thirsty at once; and something like 100 breweries have filed applications to get their permits to start out to make beer as a medicine. In the nine or ten States where they can sell and prescribe beer as a medicine, if it was done legitimately, one or two breweries could supply all the beer necessary. Beer has never been recognized as a medicine in any medical journal or by any reputable medical authority. It is just plain booze.

When you consider that the number of officers killed by outlawed liquor dealers is greater in proportion than the American soldiers killed under arms in the last war, it ought to convince every Member of Congress that these officers should have all the help possible in their dangerous task.

## ANHEUSER-BUSCH, INC.

*Oliver T. Remmers, Attorney*

The law permitting the sale of beer for medicinal purposes, in its practical operation, will result principally in the sale of beer at outrageous prices through restricted channels to the healthy and not the sick.

If beer can be prescribed as medicine the country will be so flooded with the unlawful sale of it that cereal beverages made under the Volstead Act cannot compete with medicinal beer. We believe that good beer has a specific medicinal value but deny that there is any emergency demand for beer for the sick.

## THE NATIONAL REFORM ASSOCIATION

*Laura Rooke Church, Legislative Supt.*

Objection to the Willis-Campbell Bill as reported from conference could not really be made by any one who at heart believes in National Prohibition and its enforcement.

The highest authorities have demonstrated that beer has never been recognized or listed as a medicine. But even if there were medicinal qualities in beer, all those properties except the high alcoholic content are permitted in the malt beverages which can now legally be made. Nothing but a percentage of alcohol has been eliminated. And if medicinal alcohol is needed, there is provision for its manufacture and use legitimately.

Necessary laws against crimes of all kinds must be and are enacted and enforced in the interest of the public good. The beverage liquor traffic having been outlawed, it is just as necessary to enact laws to suppress violation of that law as any other.

*Con*

## U. S. INDUSTRIAL ALCOHOL COMPANY

*B. R. Tunison*

Some time ago a table was prepared showing the main diseases and ailments and the products used in the treatment of them which are dependent on alcohol. The result was a single space typewritten list approximately sixty feet in length. The Prohibition Enthusiasts cannot forget the beverage characteristics of alcohol and think that all alcohol should be handled as a beverage.

CHICAGO COLLEGE OF MEDICINE  
AND SURGERY*George Butler, A. M., M. D.*

Alcohol in the form of beer or ale, taken before or during meals, is a good medicine and tonic for the stomach; a tonic for dyspepsia and weakened digestion attendant on or upon convalescence from acute diseases. Convalescents are often greatly benefited by some form of alcohol as it is contained in beer and ale. When the digestion becomes impaired as a result of physical or mental exhaustion the drug (alcohol in the form of beer and ale) serves a useful purpose as a tonic.

THE COUNCIL OF AMERICAN  
THERAPEUTIC SOCIETY*Dr. N. P. Barnes*

This Society does not approve of liquor-prescribing doctors. It does not wish to interfere with or violate the 18th Amendment, but it does want to go on record as maintaining that no legislative body or enforcement authority should limit or hamper a doctor of medicine in the legitimate exercise of his functions as a physician.

There are many conditions where light wines, beer, ale, stout, porter, etc., are needed, and if the articles contain an intoxicating amount of alcohol, they, too, should be classed as drugs and the physician should be given the privilege to practice his profession with as little red tape as possible.

## STATEMENT BY J. ROZIER BIGGS, M. D.,

*Washington, D. C.*

In my opinion, properly brewed beer has a distinct medical value.

Where lactation is suppressed in nursing mothers, no agent is as effective as beer in increasing the flow of milk. "Near beers" have been tried for this purpose, but they do not accomplish the desired result.

Persons who suffer from low resistance; debilitated persons who are recovering from long illnesses such as typhoid and tuberculosis, and those recovering from wasting illnesses like pneumonia, are helped by beer of approximately four per cent alcoholic content. A better appetite and an increased resistance follow this treatment.

In addition to its medical value, beer is a food as well. It is really liquid bread.



# EDUCATION SECTION

## THE FESS-KENYON PUBLIC WELFARE DEPARTMENT BILL

### HISTORY OF THE BILL

Early in the first session of the 67th Congress Senator Kenyon introduced a bill, S. 408, to establish a Department of Social Welfare. The Bill was referred to the Senate Committee on Education and Labor. At a hearing before this committee General Sawyer, physician to the President, made the following statement:

"I came to Washington to assist the President in developing a concrete plan to carry out his campaign promises to create a new Department of Public Welfare."

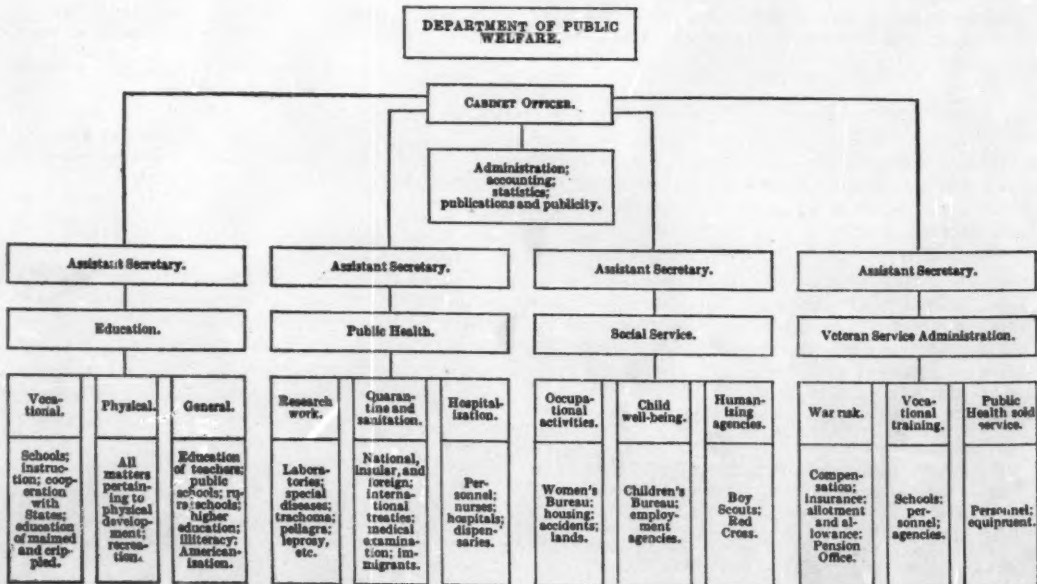
The tentative plan then offered by General Sawyer appears in the chart below.

Following this hearing Senator Kenyon introduced a new bill, S. 1607, to establish a Department of Public Welfare, which was also referred to the Committee on Education and Labor. A similar Bill, H. R. 5837, was introduced at the same time in the House by Congressman Fess and referred to the House Committee on Education. As the bills were identical it was decided to hold a joint hearing for the Committee on Education and Labor of the Senate, and the Committee on Education of the House. This hearing continued from May 11th to 20th inclusive and gave opportunity to the many organizations testifying pro and con to present their evidence. No report from either Committee was made.

In the meantime the Special Joint Congressional Committee on the Reorganization of the Administrative Branch of the Government which is composed of three Senators, three Congressmen and a representative of the President had been organized, and the work of forming a Department of Public Welfare was properly turned over to them. This Joint Congressional Committee which is cooperating with the President and Cabinet members in determining a plan of reorganization for all of the Government Departments has, to date, authorized no official statement by the whole Committee, on the reorganization situation, despite frequent rumors of such news.

When the plans of this Committee are ready a Preliminary Report by the Committee will be addressed to Congress dealing with the suggestions of the Committee for the reorganization of the Government Departments. The reorganization situation will then be a question of legislation. The report may be accepted by Congress and the President given blanket authority to carry out its provisions, or a bill, or several bills may be drafted from the report to cover the situation. In any event hearings will be held to determine public opinion on the issues, before final action is taken.

*Tentative plan.*





## Outline of Public Welfare Department Bill S. 1607, Identical to H. R. 5837

### OBJECTIVE

To establish at the seat of Government an executive department to be known as the Department of Public Welfare for the purpose of protecting and promoting the health, education, and social welfare of the people of the United States.

There shall be in the Department of Public Welfare the following divisions, under the general supervision of the Secretary:

(1) A Division of Education which shall have charge of the educational functions and activities of the department and shall, by investigation, publication, and such other methods as may be authorized by Congress, promote the development of schools and other educational and recreational facilities for the instruction of children and illiterate adults, the training of teachers, and the Americanization of those persons in the United States who lack knowledge of our language or institutions.

(2) A Division of Public Health, which shall have charge of the health functions and activities of the department and shall by investigation, publication, and such other methods as may be authorized by Congress, protect and promote the public health.

(3) A Division of Social Service, which shall have charge of the social welfare functions and activities of the department.

(4) A Division of Veteran Service, which shall have charge of the soldiers' and sailors' insurance compensation, rehabilitation, and pension functions and activities of the department.

The bill further provides:

That the office of the Director of the Bureau of War Risk Insurance in the Treasury Department; the office of the Surgeon General of the Public Health Service in the Treasury Department; the office of the Commissioner of Education in the Department of the Interior; the offices of the chief, assistant chief, and private secretary to the chief of the Children's Bureau in the Department of Labor; the Federal Board for Vocational Education; and the Board of Managers of the National Home for Disabled Volunteer Soldiers are abolished. All the functions, powers, and duties which, at the time this section takes effect, are conferred or imposed by law or lawful Executive order upon any office, board, commission, or other agency abolished by this Act are transferred to, vested in, and imposed upon the Department of Public Welfare.

That the Children's Bureau in the Department of Labor, the Bureau of War Risk Insurance and the Public Health Service in the Treasury Department, the bureau called the Office of Education and the bureau known as the Bureau of Pensions in the Department of the Interior, the Freedmen's Hospital, and the National Home for Disabled Volunteer Soldiers are transferred to and shall hereafter be under the jurisdiction and supervision of the Department of Public Welfare. The powers and duties which, at the time this section takes effect, are conferred or imposed by law or lawful Executive order upon the Secretary of the Interior with respect to education or pensions or with respect to the Columbia Institution for the Deaf, the Howard University, or Saint Elizabeth's Hospital are transferred to, vested in, and imposed upon the Secretary of the Department of Public Welfare.

That the office of United States Employees' Compensation Commissioner in the Department of Public Welfare is hereby established.

That the President is authorized to transfer to the Department of Public Welfare in addition to the functions, powers, and duties transferred to the department by this Act, any educational, health, or social welfare service or activity, performed or conducted by any other office, bureau, board, commission, or agency of the Federal Government, which the President shall find and by proclamation declare are related to or connected with the functions, powers, and duties which by this Act are transferred to and vested in the department or Secretary of Public Welfare and would in his judgment be more efficiently and economically administered if vested in, imposed upon, and coordinated with the Department of Public Welfare.

### ADMINISTRATION

The head of the department shall be the Secretary of Public Welfare, who shall be appointed by the President by and with the advice and consent of the Senate. The Secretary of Public Welfare shall receive an annual salary of \$12,000 and his tenure of office shall be the same as that of the heads of the other executive departments.

Each division of the department shall be in charge of an Assistant Secretary of Public Welfare, who shall be appointed by the President by and with the advice and consent of the Senate. Each Assistant Secretary shall perform such duties as may be prescribed by the Secretary or required by law and shall receive an annual salary of \$5,000.

The United States Employees' Compensation Commissioner shall be appointed by the President, by and with the advice and consent of the Senate; shall hold office for a term of six years, and shall receive an annual salary of \$4,000. The commissioner shall not hold any other office or position under the United States. The commissioner shall, subject to the general supervision and approval of the Secretary of Public Welfare, administer this Act and perform all the duties and exercise the powers heretofore imposed upon or vested in the United States Employees' Compensation Commission.

For the purpose of providing for the more efficient and economical administration of the powers, duties, and functions which by this Act are transferred to, vested in, and imposed upon the Department of Public Welfare, the Secretary of Public Welfare is authorized with the approval of the President to assign all or any part of such functions, powers, or duties to one or more of the divisions created by this Act in the department, and to reorganize, consolidate, or abolish any office, bureau, or other agency which by this Act is transferred to the department, and to set up such new bureaus, agencies, or administrative organizations in his department as may be required to carry out the provisions of this Act.

All officers and employees under the control and jurisdiction of or employed in or by any office, bureau, board, commission, agency, or institution, which under the provisions of this Act is abolished or transferred to the Department of Public Welfare, are transferred to the department at their respective grades and salaries on the date of such transfer.

## The Senate Discusses the "Public Welfare Department Bill"

*Pro*

SENATOR WILLIAM S. KENYON

Hearings were held in the Committee on Education in the House, and in the Committee on Education and Labor in the Senate when General Sawyer presented the plan for a Department of Public Welfare.

The President was intensely interested in having a Department of Public Welfare. Apparently there came a conflict in the minds of some people over the plan to establish such a department, because they thought it would be injurious to the education bill pending in the Senate and in the House, and great opposition arose to the Public Welfare Department Bill.

In the meantime a plan for the reorganization of the Government Department was being considered by a special committee.\* In view of the fact that they were dealing with this subject it was thought by friends of the measure that we had better await the plans of this reorganization committee. That accounts for the delay in the bill. I am not advised when they will report, but have no doubt that it will be soon.

\* (Editor's Note).

A Joint Congressional Committee on the Reorganization of the Administrative Branch of the Government was created by the 66th Congress in December, 1920. A subsequent Joint Resolution authorizing the President of the United States to appoint a representative of the Executive to cooperate with the committee was approved May 5, 1921. Walter F. Brown, an attorney from Toledo, Ohio, was immediately appointed and made chairman of the committee which is comprised of the following members:

### *Senators*

Reed Smoot, Rep., Utah, Vice-Chairman.  
James W. Wadsworth, Jr., Rep., New York.  
Pat Harrison, Dem., Mississippi.

### *Representatives*

C. Frank Reavis, Rep., Nebraska.  
Henry W. Temple, Rep., Pennsylvania.  
R. Walton Moore, Dem., Virginia.

*Con*

SENATOR WILLIAM H. KING

Public welfare, like patriotism itself, is frequently the refuge of those who seek private advantage as against the general good of the country. It is a convenient cloak with which to mask private, class and partisan projects.

Public welfare comprehends the whole domain of politics. All the powers of Government are powers for the promotion of the public welfare. The function of every state, of every municipality, of every county and of every school district in the land, is the promotion of the public welfare, in the particular fields and in the exercise of particular powers committed to their authority. It is utterly preposterous for a Secretary of a department of the federal government to assume to bring within his cognizance an exclusive concern for the public welfare, or to seriously propose that a new executive department be created for this purpose.

Senate Bill 1607, "to establish a department of public welfare" is really for the purpose of creating a so-called "Division of Social Service which under the general supervision of the Secretary shall have charge of the welfare functions and activities of the Department." There is to be a division of "social service" and an Assistant Secretary of "Social Service" whose functions and powers are not defined in the bill, but are wholly nebulous so as to freely accommodate the schemes of the promoters of the bill. It is not public welfare in the broad and proper sense but social service in the narrow and professional sense, which is the object of this legislation. The principal object of the bill is to obtain large appropriations from Congress to be expended without direction or restriction, in the experimental and scrambling activities denoted as "social service," by persons who have not been elected by the people and who will not be responsible to the people. The plan is for these self-constituted guardians of the public welfare to assume a benevolent despotism for the control of the common concerns of the country which are within the proper province of the liberties of the people and of officials who are elected by the people and who are immediately responsible to the people for their conduct, expenditures, policies, and tenure of office.

## The House Discusses the "Public Welfare Department Bill"

*Pro*

REPRESENTATIVE S. D. FESS

For years public welfare has been regarded a proper function of the federal government. Education work lies at the very foundation of public welfare. While education in this country is primarily State, it also has a distinctively federal function, so recognized by a series of laws giving national aid to education. This basis of public weal has never had proper recognition in the national government. Its present status, lost as a mere bureau in the Interior Department whose chief business is public lands, coal, oil, gas, reclamation and irrigation, is incredible.

The creation of the Public Health Service which has grown to a most important function of federal activity is a second agency of public welfare. It is now placed in the Treasury Department.

Various agencies of social betterment, such as the Children's Bureau in the Labor Department and the Women's Bureau are more recent creations to respond to the demands of a better citizenship and are distinctively federal in character.

The new demands of the World War for the care of disabled soldiers call for legislation upon new phases of public welfare. Part of this work was placed in the Treasury Department and part of it under an independent board.

The attenuated character of these various agencies of public welfare, the inevitable lost motion, wasteful and inefficient administration due to the lack of unity of effort, as well as the growing demand for increased recognition of the needs of such legislation, induced Mr. Harding to announce in the campaign his intention to urge the creation of a separate Department of Public Welfare of Cabinet rank, under which it is proposed to unify the various welfare activities, such as education, public health, social welfare and veteran service. This promise was renewed in his address of acceptance. This purpose was repeated twice since he became President.

A bill was drafted on the basis of his views. It provides the new Department of Public Welfare under a Secretary. It contains four sub-divisions with an assistant secretary at the head of each. These are (1) Education, (2) Public Health, (3) Social Service, and (4) Veteran Service. It is believed the final recommendation of the Reorganization Committee on the public welfare item will be substantially as reported in the Kenyon-Fess bill.

*Con*

REPRESENTATIVE W. P. BANKHEAD

I base my objection to this bill upon the following grounds: Congress in its earnest desire to properly articulate and harmonize the various bureaus, departments and activities, to save waste, duplication and overlapping of agencies of government, had passed in the 66th Congress a resolution appointing a joint commission of three members of the House and Senate, to do in a complete and exhaustive way the very things which the Welfare Department Bill undertakes to do in a very hasty, superficial and abortive method. Congress gave them wide authority and two years' time in which to accomplish their tremendous task. I favor giving that committee an opportunity to perform the duty for which it was created.

If any new cabinet position is to be created, or new executive department organized, I want it to be a Department of Education, such as is proposed by the Towner-Sterling bill. There is no branch of public affairs more vital to the future of our country than that of the proper education of its youth. I would not favor any legislation that would deprive any state of the absolute control and supervision over its own school system—nor does the Towner-Sterling bill do that. The Fess-Kenyon bill merely proposes to transfer the present Bureau of Education in the Interior Department to the proposed Welfare Department, without increasing its functions or dignifying its activities. But more objectionable still is the fear that if this Bureau of Education is transferred as provided it means its permanent interment as an inactive and inconsequential agency.

One of the most impelling reasons for the speedy enactment of the Fess-Kenyon bill has already been satisfactorily provided for by the Sweet bill now passed. I refer to the proposed consolidation of the various activities affecting the Veterans of the World War.

I very seriously doubt the wisdom of transferring the Children's Bureau from the Department of Labor where it is now doing splendid and progressive work. This is at least the opinion of the best and most interested friends of the children of the country, as manifested in their testimony before the joint committee at the hearings.

The Fess-Kenyon bill at present is in a state of coma,—it may be just as well for the country if its present condition should eventuate in *articulo mortis*.



## \*The Lobby Discusses the "Public Welfare Department Bill"

*Pro*

### PHYSICIAN TO THE PRESIDENT

*Brigadier General Charles E. Sawyer*

The idea of a separate department of public welfare in the Federal Government is the outcome of numerous requests of many men and women throughout the country, who realize that the Nation has great need at the present time for the development of the highest type of American citizenship which the United States can provide. It is the contention of a well-thinking people that this desideratum is only to be fully realized through a special welfare department in the Federal Government.

The President, appreciating the importance of this matter, committed himself during the campaign, in his inaugural address, and in his first message to the Sixty-seventh Congress, to provide a special department of the Government to consider and collect into one department all correlated subjects having to do with the making of the most competent physical and mental American citizen, and at the same time bring into cooperation all matters pertaining to public welfare.

### U. S. BUREAU OF EFFICIENCY

*Herbert D. Brown, Chief*

I wish to say emphatically that I am an advocate of this proposed department. It is my judgment, reached after as careful a survey of the situation as it has been possible to make, that such a department can be established without increasing the expenditures of the Federal Government by a single dollar. More than that, it is my judgment that the concentration in a single department of all veteran relief agencies, and the agencies which deal with educational problems, health problems, and other problems of social welfare, will make possible material improvements in administration. In fact, it can reasonably be assumed, not only that substantial improvement in the character of the service rendered will grow out of the establishment of the new department, but that a substantial reduction can gradually be brought about in the cost of that service.

### NATIONAL ASSOCIATION OF THE DEAF

*Wilbur P. Souder*

As a representative of the National Association of the Deaf I urge the advisability of including a bureau or a division for the deaf in the Public Welfare Bill. That the deaf people have been greatly discriminated against in obtaining employment in the country at large cannot be gainsaid. I regret to say that the Federal Government also to a certain extent has joined in this discrimination.

\*In some cases extracts from the Congressional Record and Hearings are used.

*Con*

### NATIONAL EDUCATION ASSOCIATION

*Hugh S. Magill, Field Secretary*

The friends of education are not opposed to the creation of a Department of Public Welfare, but they are strongly opposed to placing education in a subordinate division of such a department.

Every one of the forty-eight states has an independent Department of Education, and in the few states in which Departments of Public Welfare have been created, such departments have in no instance included education.

When the bill for a Department of Public Welfare was hastily prepared and introduced in Congress last May, it was confidently predicted that it would be reported favorably by the Committees on Education of the Senate and House and passed by Congress within a few weeks. But when the hearings were held on the bill, such an avalanche of protests were recorded against the submerging of education in the proposed department that no further action has been taken. These protests came not from educators alone, but from the friends of education throughout the country.

### NATIONAL INSTITUTE

#### FOR GOVERNMENT RESEARCH

*Doctor William F. Willoughby, Director*

The result of our studies has been wholly contrary to the desirability of the passage of this bill. From an administrative standpoint it is desirable that the head of any department shall concern himself with one set of problems, and those problems should be handled with one class of personnel as far as possible, and that personnel should deal with one character of plans and with one character of equipment, and they should handle as nearly as possible the same class of supplies to meet those problems. If you have a unifunctional department of that kind, you have the very best for efficiency. But the grouping together of dissimilar services would destroy any possibility of working out the problem of an effective administration from a proper standpoint.

### AMERICAN FEDERATION OF LABOR

*Legislative Committee*

The American Federation of Labor is irrevocably opposed to the abolishment of the Department of Labor, or in any way the weakening of its functions by taking from its control any division now a part of the Department. On these grounds therefore we oppose the transferring of any function from the Department of Labor to the proposed Public Welfare Department or any other Department of the Government.

## Pro

## NATIONAL LEAGUE OF WOMEN VOTERS

*Mrs. Maud Wood Park, President*

In the creation of a Department of Public Welfare the National League of Women Voters is hopeful of seeing the dawning of what its members have tried for years to bring about—a practical and efficient way to make social justice and social welfare real and functioning rather than merely visionary and impractical.

Whatever else a Department of Public Welfare may or may not accomplish, its establishment will be a definite recognition that the Federal Government has a responsibility for the welfare of all the citizens of this country.

No one at this time knows exactly what the details of this plan will be, or whether they will all be satisfactory to those who are interested in social work. The League of Women Voters, which has endorsed the idea of a separate department of education, would be glad to see two new departments rather than one. But that does not mean that they oppose either one because they are not sure the other will be created.

## UNITED STATES PUBLIC HEALTH SERVICE

*Surgeon General Hugh S. Cumming*

One of the most important objects of this bill is the rearrangement of federal agencies created for the conservation of life and health. It is the desire of the Public Health Service to contribute in the fullest sense possible to the public health, and it is believed that the principles of reorganization of the federal health activities as outlined in this bill would contribute to the accomplishment of this purpose. The review of the laws relating to federal health activities will show that several bureaus and divisions in several executive departments have been authorized by Congress to perform limited health functions in certain specific fields. The logical conclusion reached when one studies this question is to bring these several bureaus together and coordinate them under one administrative head.

THE NATIONAL FRATERNAL SOCIETY  
OF THE DEAF

*Arthur L. Roberts*

The National Fraternal Society of the Deaf endorsed the bill providing for a bureau for the deaf, and hope that such a bureau may be established in some department of the government.

The deaf feel that as an agency of the Federal Government, the proposed bureau would have great influence in bringing the capabilities of the deaf to the attention of employers; that it would be able to open up new avenues of employment and industrial teaching.

## Con

## GENERAL FEDERATION OF WOMEN'S CLUBS

*Mrs. Thomas G. Winter, President*

At its last Biennial Convention the General Federation of Women's Clubs reaffirmed its adherence to the principles of the then Smith-Towner Bill, now the Towner-Sterling Bill, to establish a Department of Education. The Federation believes that the educational matters of the country are a major and not a minor matter; that we should give them the dignity of a separate department of government as does every other civilized country; that such a department, similar in its methods of functioning to the Department of Agriculture, might further the cause of education without interfering with local initiative or autonomy; that, since the whole future of democracy depends upon the intelligence of its citizens, education should not be submerged under another department, but should stand in the forefront of public interest, public dignity, public support, public understanding, national breadth of conception—as it deserves.

## CITIZENS' PROTECTIVE ASSOCIATION

This Association favors proper quarantine regulations and sanitation. It is feared, however, that this bill makes paramount the public health activities to be included in it; that the predominating influence in the Department will undoubtedly be medical, and furthermore that the personnel will probably be composed of physicians, thereby affording opportunity for compelling children, from families opposed to the use of medicine, to accept teaching about medicine and disease, and this Association does not regard the teaching to children of the germ theory or the existence of so-called disease any more legitimate instruction than would be the teaching of the principles of a religious faith.

## CITIZENS' MEDICAL REFERENCE BUREAU

*H. B. Anderson, Secretary*

The statement of Brigadier General Charles E. Sawyer during the consideration of a bill for a Department of Social Welfare that "There is no reason, sirs, why America should not have the strongest public health department in the world" and his reference to sanatoria, surgeons, scientists, and medical men in connection therewith, offers a good index of what may be expected if such a bill should pass.

The bills now pending, (S. 1607 and H. R. 5837) would not safeguard against the use of millions upon millions of dollars of the taxpayers' money for medico-political propaganda of a class character.

*Pro*SCHOOL OF HYGIENE AND PUBLIC HEALTH  
OF JOHNS HOPKINS UNIVERSITY*Doctor W. H. Wells*

We are interested in an independent department of public health. The educational people would like to have an independent department of education. Those are the two great interests of our people which are not at present, we consider, adequately represented in the government. If we have but one department why not have a department of education and health with some kindred and proper activities added on? It is perhaps true that neither care to be wedded, but it is not such an ill-assorted union. A great many of the activities of health are of an educational nature. There is a large part of education which has to do entirely with what is called school hygiene. I think this bill with these four divisions of education, health, social welfare, and soldiers' relief or veteran service is quite well considered.

FEDERATED AMERICAN ENGINEERING  
SOCIETIES*L. W. Wallace*

The Federated American Engineering Societies is interested in the Department of Public Welfare because it affects a problem with which the engineers of the country have long been concerned.

This bill, in removing from the Department of the Interior those non-engineering agencies now under the direction of its Secretary, makes possible the addition to that Department the engineering activities now scattered through other Departments of the Government, thereby centralizing the engineering functions of the Government under one head and bringing about an important step in the co-ordination of the machinery in the Executive Branch.

## THE NATIONAL HEALTH COUNCIL

While the National Health Council is not authorized under its plan of organization to advocate or oppose specific legislative propositions, all of the constituent organizations represented in the Council have at some time positively endorsed the principle of uniting Federal health activities in one department.

The National Health Council expresses its hearty approval of the cooperation of its executive officer with Brigadier General C. E. Sawyer and other Federal officials or agencies who are investigating the subject, and gives assurance that the entire resources of the National Health Council, whether in the executive office or in the separate organizations composing the Council, are continuously at the service of the Federal Government.

*Con*

## AMERICAN MEDICAL LIBERTY LEAGUE

*Mrs. Lora C. Little, Secretary*

Most appropriately, if the present measure is passed, the political doctors will have control. State Medicine will have vastly enlarged its scope and augmented its powers, and that, too, at a time when the trend of popular thought is quite in the opposite direction. For the past fifteen years there has been a steadily increasing agitation against State Medicine to check or utterly eradicate medical powers in connection with the government. It is time Congress were warned in no uncertain terms of the popular resentment and opposition which will be aroused to the proposal to double the territory of State Medicine.

## AMERICAN COUNCIL ON EDUCATION

*S. P. Capen, Director*

The national educational organizations have almost unanimously opposed the inclusion of the educational offices of the Government in the proposed Department of Public Welfare. The American Council on Education, which represents the principal associations of higher educational institutions, has taken the same position. My own objections are as follows:

1. The proposed Department of Public Welfare combines a miscellaneous group of bureaus and functions.

2. The enterprises connected with veteran relief, practically all of which are administrative with political implications, involve such huge expenditures that they would be sure to overshadow the interests of the proposed department in the constructive fields of education and public health.

3. The country needs a government office which will combine the manifold government activities in the field of education. Such a need would not be met by the proposed Department of Public Welfare.

NATIONAL SOCIETY  
FOR VOCATIONAL EDUCATION*Lewis A. Wilson, President*

The Federal Board for Vocational Education is the only government agency authorized to assist the states financially in developing a program of vocational education and also a program of industrial rehabilitation. The success of the vocational education movement depends in a very large measure upon the leadership provided at Washington. I do not believe that the proposed Department of Public Welfare will enable the Bureau of Education to pay salaries high enough to employ competent leaders. Furthermore I do not believe that it is desirable to segregate education in a department that is responsible for all types of work which it is proposed to include in the proposed Department of Public Welfare.



## A GLOSSARY OF LEGISLATIVE TERMS

### A BILL

is a thought reduced to written form prescribed by long usage as part of a conventional form of law making. A bill sets forth the thought its author desires to have made into a law.

### TO INTRODUCE A BILL

means the act of laying the Bill before the Senate or the House of Representatives. The rules of the House require that the Bill merely be dropped in a basket beside the desk of the Speaker while the House is in session, after which the Bill follows a routine course. The rules of the Senate require that a Senator, when introducing a Bill, arise and verbally announce his intention and the subject of the Bill, after which a page boy takes the Bill to the desk of the Vice President, who is presiding officer of the Senate.

### A BILL IS REFERRED TO A COMMITTEE

after it is examined by clerks whose special duty it is to study the subject matter of all Bills and to determine which committee they should be referred to. When this decision is reached the Bill is rushed to the Government Printing Office, which operates day and night, and printed in order that the committee may receive copies of the Bill on the day following its introduction.

### COMMITTEES OF THE SENATE AND HOUSE

are necessary in order to expedite the work of Congress. There are forty-three committees of the House and thirty-three in the Senate. The chairman and a majority of the members of a committee are always members of the party in control of the House of which the committee is a part.

### COMMITTEE HEARINGS

are opportunities offered proponents and opponents of a Bill to furnish the committee with information and views concerning the necessity or effect of the Bill it is considering. Sometimes, as is frequently the case with bills affecting the executive departments, committees hold secret hearings, but in most instances the hearings are public. Official stenographers make reports of these hearings which are afterwards printed as public documents.

### COMMITTEE REPORTS

are recommendations made by committees to the House or Senate concerning the Bill which has been referred to them. The rules of the House require that committee reports be made in writing. The rules of the Senate require verbal reports only, but almost invariably written reports are submitted. In a majority of instances the Bill, as reported by the committee, has been changed to a greater or less degree, from the form in which it was originally introduced. In parliamentary verbiage to change or alter a Bill is to amend it.

### TO AMEND A BILL

is to change it in any particular, either in committee or while the Bill is under discussion on the floor of either House. A Bill may be amended in committee by a majority vote of the members of the body considering it.

### TO LAY ASIDE A BILL—TO "KILL" A BILL—TO "PIGEON HOLE" A BILL—TO HOLD UP A BILL

in committee is to refrain from making a report. If there is no particular pressure in favor of a Bill it may be held up by mere inaction. If pressure is exerted and a majority of the committee still desires to hold the Bill up, they may do so by extended hearings, or giving other Bills precedence or in any one of a dozen other methods.

### TO DISCHARGE A COMMITTEE

from consideration of a Bill may be ordered by a majority vote of either House and in this event the Committee is forced to bring the Bill back to the House, whether it be in favor of reporting the Bill or not. This move is sometimes made when a committee is guilty of unnecessary delay or when the views of a majority of the committee do not coincide with the views of a majority of the House. This rule safeguards a majority of either House from being hampered by a handful of men on a committee.

### THE LEGISLATIVE CALENDAR

is the list of Bills in the order of their introduction or report from committee. In ordinary circumstances the calendar is followed, but Bills of special importance are frequently placed at the top of the list and thereby gain precedence. The leaders of the controlling political party in each House determine whether a Bill is to be given precedence.

### RIGHT OF WAY FOR A BILL

is the term used when a Bill is given precedence over all other pending legislation.

### COMMITTEE OF THE WHOLE

is the term used when a Bill is taken up for consideration. To consider a Bill the House of Representatives forms itself into what is known officially as "The Committee of the Whole House on the State of the Union." That is to say, it takes the Bill off the hands of the committee which has reported it and turns itself into a super-committee.

### CLOTURE

means simply closure and is the term applied to cutting off debate in order that a vote may be taken. Under the rules of the House the time for debate may be limited. This is not permitted in the Senate, but the Senators may, by unanimous consent, set a definite hour upon which to vote. Thus cloture is possible in the House but impossible in the Senate except by unanimous agreement.

### A FILIBUSTER

is a time-killing device designed by a minority to delay a vote on a Bill. In the Senate a filibuster is conducted principally by speech-making, since the rule of the Senate permitting unlimited debate makes this the easiest method. The rules of the House force those conducting a filibuster to resort to other methods, usually the offering of innumerable amendments, the making of points of order against amendments (which are charges that the amendment is not

germane to the contents of the bill), calling for a quorum, demanding roll calls, making five-minute speeches on each amendment and insisting on the reading of the bill. Thus for instance, when a long appropriation bill is being considered, it is comparatively easy to conduct a filibuster. The rules of the House require that a bill be read three times before the debate begins. Usually by unanimous consent, two readings are dispensed with, but a demand from a single member for all three readings must be complied with. Frequently most of the members of the House remain in their offices during the debate on a bill, leaving less than a quorum present. A filibuster, noting this, will demand a quorum. Members are summoned and the roll is called. The calling of the roll in the House consumes forty-five minutes. The rules permit five-minute speeches on each amendment. One man may offer one or more amendments to each section of a bill and speak five minutes on each amendment. These methods are particularly effective toward the close of a session, when time is short. Eventually debate on all amendments is exhausted and a vote is forced by moving.

#### THE PREVIOUS QUESTION

is the consideration of the Bill itself. Amendments are voted on first. If a member moves to consider the previous question and the majority sustains votes for his motion, the consideration of amendments comes to an end and the Bill is voted on.

#### SUSPENSION OF THE RULES

means that the regular rules of the House may be suspended to meet any particular occasion, by a majority vote. The rules are frequently suspended to give prompt attention to pressing legislation.

#### A BILL IS PASSED

when either House finally votes to pass it. When passed by one House it is sent to the other.

#### PAIRING OF VOTES

is a system of protecting the vote of an absent member of the Senate or House. If a Democrat is called away from Washington he arranges a pair with a Republican on all party measures. Then, when the Bill comes to a vote, the Republican announces that he is paired with the absent Democrat and does not cast his vote. The pairing is simply an offset and does not affect the general result of the vote.

#### AN ACT

is the title given a Bill after it has been passed by one or both of the two Houses. An Act, arriving at the other House, is sent to committee and considered by the second body just as if it were a new measure. If the House sends an Act to the Senate which is acceptable without amendment, it is passed in its original form. If the Senate amends the Act and its amendments are acceptable to the House, the House, in turn, accepts the changes. If either House amends the Act and its amendments are not acceptable, a conference is ordered.

#### A BILL IS IN CONFERENCE

when it is turned over to a joint committee of the two Houses, known as a Conference Committee. This occurs when neither House will accept the Bill or Act in the form in which it has been passed by the other. The conference committee's task is to iron out the differences in the two measures and to effect a compromise acceptable to both Houses. Usually the conference committee succeeds but sometimes one House or the other rejects its work. In this event the Bill either fails entirely or is again worked over until it is in such shape as to be acceptable to both Houses.

#### A BILL IS ENROLLED

when, after being finally passed by both Houses and printed on parchment, it is signed by the Speaker for the House, and the Vice President, for the Senate, and sent to the President.

#### A PRESIDENTIAL VETO

of a Bill, is the expression of the President's disapproval of it. The President has the right to veto a Bill which he does not approve. In this event Congress, by a two-thirds majority, may re-pass the Bill over the President's veto. If two-thirds majority is not mustered the veto stands. The President is allowed ten days, exclusive of Sundays and holidays, to consider a Bill sent to him by Congress. If he does not sign or veto a Bill within that period it becomes a law without his signature.

#### A BILL IS FINALLY DISPOSED OF

when, after receiving the President's signature, a parchment copy of the Bill is sent to the Department of State to be numbered and filed as the original copy of the law. The Secretary of State forwards a certified copy to the Public Printer to be printed for public use.

#### A 'LEGISLATIVE "BLOC"

is a group of members of a legislative body who vote as a unit for class reasons. This word is new in American legislative nomenclature, having been borrowed from the French. There are now growing up in the Senate and House—Farmers' "Blocs," Soldiers' "Blocs" and Labor "Blocs."

### THE "COME-BACK"

In order that readers may assist this magazine in the establishment of an intelligent understanding between the public and Congress a Department will be devoted each month to inquiries and comments from the field on bills covered by The Capitol Eye. This Department will be known as The "Come-Back."